IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 794 OF 2005

IN

SECOND APPEAL NO. 117 OF 2004

SHRI SALVADOR D'SILVA AND ANR., ...Applicants

Versus

SHRI KAUTU GAONKAR(DEC.) THROU' HIS L.RS., ...Respondent

P.S. Rao for the applicants.

G.M. Kudchadkar for responddent Nos.1a to 1g.

Coram:- V.C.DAGA, J.

Date:- 2nd August, 2006

P.C.

Heard learned counsel for the applicants and learned counsel for respondent Nos.1a to 1g.

So far as respondent Nos.3 and 5 are concerned, suit was dismissed against them as abated. Suit against respondent No.4 was also dismissed. In that view of the matter, their presence before this Court for decision of this application is not necessary. Learned counsel appearing for respondent Nos.1a to 1g (i.e. heirs of respondent No.1) has no objection for grant of this application.

In the result, by consent of parties, civil application is allowed in terms of prayer clause (a). Rule is made absolute accordingly with no order as to costs.

V.C.DAGA, J.

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